

BOOK 562 PAGE 715

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

BOOK 576 PAGE 146

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 01-0821-0907

ELECTIONS: UNIT AV-109
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on December 18, 2001 which was recorded at Deed Book 537, Page 801 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on January 11, 2002, and at Deed Book 544, Page 369 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on January 10, 2002, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed POCAHONTAS GAS PARTNERSHIP (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit AV-109;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Union National Bank, Corporate Trust PA1328, 123 Broad Street, Philadelphia, PA 19109-1199, Telephone: (215) 985-3485 or (800) 664-9359, Attn: Don Ballinghoff, or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

ENTERED

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

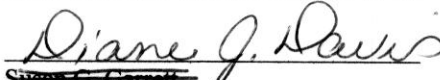
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 18th day of February, 200³2, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF WISE

Acknowledged on this 18th day of February, 200³2, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


~~Suzanne G. Garrett~~
Notary

My commission expires: 9-30-05.

DONE AND PERFORMED THIS 19th day of February, 200³2, by Order of the Board.


B. R. Wilson,
Director of the Division of Gas & Oil Board and
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 19th day of February, 200³2, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary

My commission expires: 9/30/05.

Order Recorded Under Code of
Virginia Section 45.1-361.26

VIRGINIA:

BOOK 562 PAGE 717

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Pocahontas Gas Partnership for Forced Pooling of Interests in CBM Unit AV-109
VGOB-01-0821-0907 in the Hurricane District of Buchanan County and the New Garden District of Russell
County, Virginia

AFFIDAVIT OF POCAHONTAS GAS PARTNERSHIP (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by Consol Energy Inc., as a Gas Engineer and is duly authorized to make this affidavit on behalf of POCAHONTAS GAS PARTNERSHIP, the designated operator,

That the Order entered on December 18, 2001, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on January 11, 2002 and January 10, 2002 respectively;

That the designated operator POCAHONTAS GAS PARTNERSHIP has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

James D. Rasnake

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of December 18, 2001;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator, no longer have an interest, etc.:

Doris Smith, Marvin Fuller, Jackie Rasnake, Nelson Ray, Betty Rasnake, Louella Rasnake, Goldine Lilly, Richard E. Rose, Arcel Rose, Hassel Raymond Abshire, Daniel Abshire, Anna Nuckles, Tolvy "Tracy" Perkins, Carolyn Whited, Kimberly Lynn Street, Dexter Perkins and Lennie E. Perkins

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

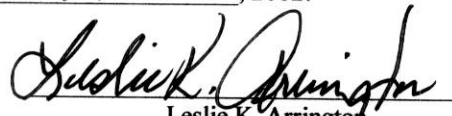
See attached Exhibit B-2

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

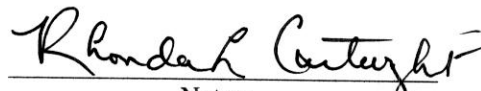
See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Tazewell, Virginia, this 3rd day of October, 2002.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as Gas Engineer of Consol Energy Inc., on behalf of the corporate Designated Operator, this 3rd day of October, 2002.


Notary

My commission expires: 10/31/05.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED
BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

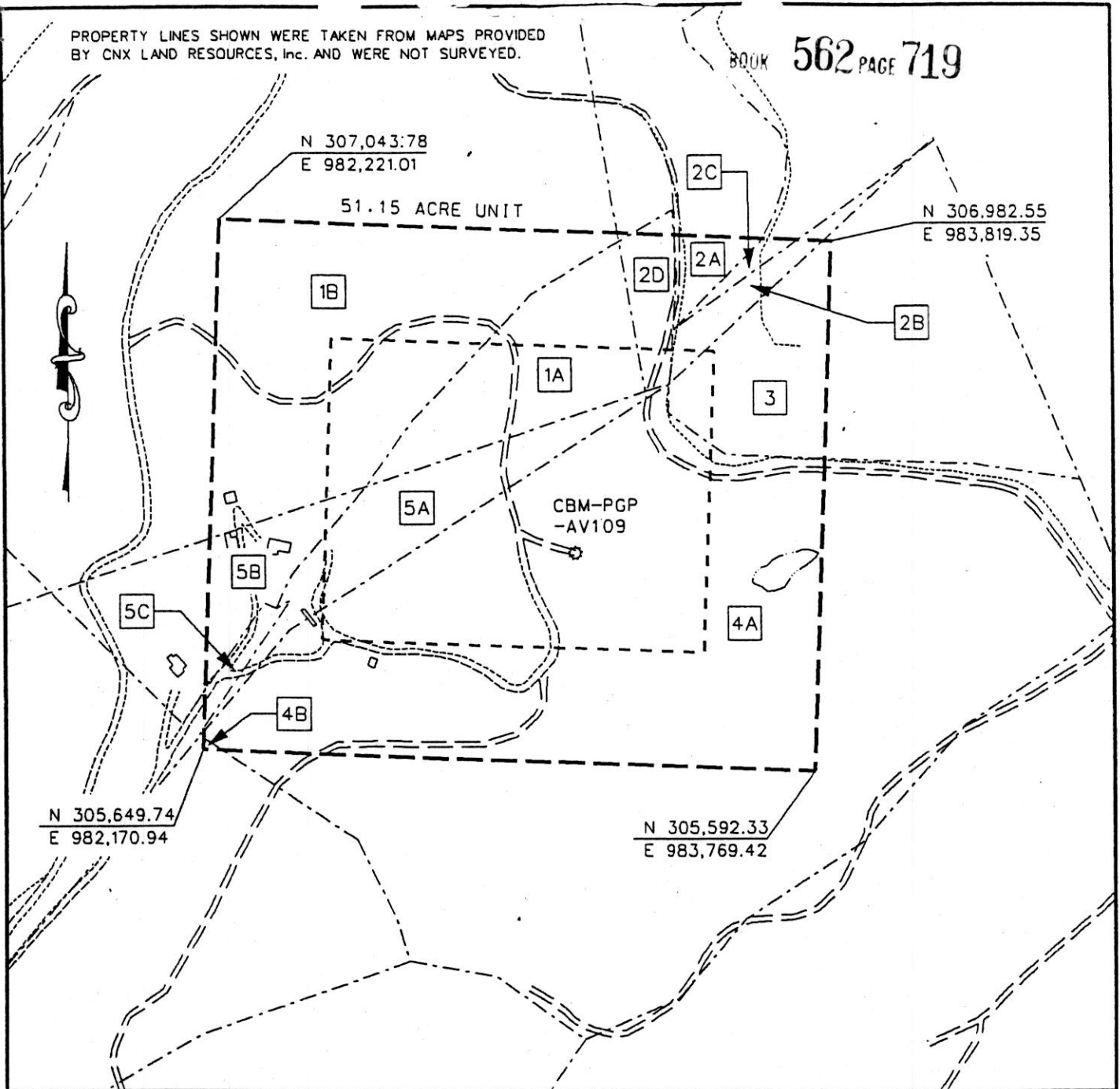


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AV-109
FORCE POOLING
VGOB-01-0821-0907

Company Pocahontas Gas Partnership Well Name and Number UNIT AV109
Tract No. _____ Elevation _____ Quadrangle Hongkern
County Buchanan/Russell District Hurricane/New Garden Scale: 1" = 400' Date 7/14/01
This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GO-7
Rev. 9/91

Claude O. Morgan
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

POCAHONTAS GAS PARTNERSHIP**Unit AV-109****Tract Identifications****(51.15 Acre Unit)**

1. Buckhorn Coal Company Tr. 3 - Coal, Oil & Gas
Coal Lessees
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Reserve Coal Properties Company - Oil & Gas Leased
Pocahontas Gas Partnership - CBM Leased
15.76 acres 30.8113 %
- 1A. Billy Helton - Surface
- 1B. Josephine Helton - Surface
2. Buckhorn Coal Company Tr. 2 - Coal, Oil & Gas
Coal Lessees
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Reserve Coal Properties Company - Oil & Gas Leased
Pocahontas Gas Partnership - CBM Leased
2.73 acres 5.3373 %
- 2A. Josephine Helton - Surface
- 2B. Jearl Blankenship - Surface
- 2C. Buckhorn Coal Company Tr. 2 - Surface
- 2D. Billy Helton - Surface
3. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal
Coal Lessee
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Jacob Fuller Heirs, et al. - Oil & Gas
Jearl Blankenship - Surface
3.48 acres 6.8035 %
4. Buckhorn Coal Company (Jacob Fuller 439 Acre Tract) - Coal, Oil & Gas
Coal Lessee
Sandy Ridge Energy Company - Above Drainage Coal Leased
Reserve Coal Properties Company - Oil & Gas Leased
Pocahontas Gas Partnership - CBM Leased
23.65 acres 46.2366 %
- 4A. Billy Helton - Surface
- 4B. Buckhorn Coal Company - Surface

POCAHONTAS GAS PARTNERSHIP

Unit AV-109

**Tract Identifications
(51.15 Acre Unit)**

- 5. Buckhorn Coal Company (M. O. Burke Tract) - Coal, Oil & Gas
Coal Lessee
Sandy Ridge Energy Company - Above Drainage Coal Leased
Reserve Coal Properties Company - Oil & Gas Leased
Pocahontas Gas Partnership - CBM Leased
5.53 acres 10.8113 %
- 5A. Billy Helton - Surface
- 5B. Josephine Helton - Surface
- 5C. Buckhorn Coal Company - Surface

Exhibit B-2
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Respondents to be Dismissed

BOOK 562 PAGE 722
BOOK 576 PAGE 0133

	Acres in Unit	Interest in Unit	Reason for Addition	Reason for Dismissal
II. OIL & GAS FEE OWNERSHIP				
<u>Tract #3, 3.48 acres</u>				
Jacob Fuller Heirs, Devisees, Successors or Assigns (25 Acre Tract)	3.48 acres	6.8035%		
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns				
(a) Claude and Lauran Compton Heirs				
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.01611 acres 0.004630 of 3.48 acres	0.0315%		Leased
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns				
(f.7) Linda Cook 111 Monterey Drive Mooreville, NC 28115	0.00806 acres 0.002315 of 3.48 acres	0.0158%	Not Leased	
(4) William T. Fuller Heirs, Devisees Successors or Assigns				
(a) Marvin Fuller 399 W. G. Street Elizabethton, TN 37643	*Bought by Mike & James Rasnake			Sold interest
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns				
(a) Fred Rasnake Heirs, Devisees, Successors or Assigns				
(a.2) Jackie Rasnake, Widow 565 49th Street SW Canton, OH 44706	*Bought by Mike & James Rasnake			Sold interest
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns				
(b.1) Nelson Ray 331 Hillman Drive Honaker, VA 24260	*Bought by Mike & James Rasnake			Sold interest
(d) Ralph Rasnake Heirs, Devisees, Successors or Assigns				
(d.1) Betty Rasnake, Widow P.O. Box 533 Honaker, VA 24260	*Bought by Mike & James Rasnake			Sold interest

Exhibit B-2
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Respondents to be Dismissed

BOOK 576 PAGE 0134

BOOK 562 PAGE 723

	Acres in Unit	Interest in Unit	Reason for Addition	Reason for Dismissal
(e) James Earl Rasnake Heirs, Devisees, Successors or Assigns				
(e.1) Louella Rasnake, Widow Rt.1 Box 1218 Pounding Mill, VA 24637-9740		<i>*Bought by Mike & James Rasnake</i>		Sold interest
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns				
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns				
(a.3) Beverly Nuckles 106 Little Pond Court Suffolk, VA 23434	0.03867 acres 0.011111 of 3.48 acres	0.0756%	Not Leased	
(7) Emily Keen Heirs, Devisees, Successors or Assigns				
(f) Eugene Whited 25429 Briarwood Drive Columbia Station, OH 44028	0.04833 acres 0.013889 of 3.48 acres	0.0945%	Not Leased	
(9) Ellen Brown Heirs, Devisees, Successors or Assigns				
(a) Goldine Lilly 303 Wolfe Creek Road Spanishburg, WV 25922	0.01392 acres 0.004000 of 3.48 acres	0.0272%		Leased
(b) Richard E. Rose 1406 South Avenue Princeton, WV 24740	0.01392 acres 0.004000 of 3.48 acres	0.0272%		Leased
(c) Arcel Rose P.O. Box 1705 Beaver, WV 25813	0.01392 acres 0.004000 of 3.48 acres	0.0272%		Leased
(e) Hassel Raymond Abshire 10743 Beckley Road Camp Creek, WV 25820	0.00232 acres 0.000667 of 3.48 acres	0.0045%		Leased
(g) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.00232 acres 0.000667 of 3.48 acres	0.0045%		Leased
(i) Anna Nuckles Rt.1 Box 156 Vansant, VA 24565	0.01856 acres 0.005334 of 3.48 acres	0.0363%		Leased
(j) Toly "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.01856 acres 0.005334 of 3.48 acres	0.0363%		Leased

Exhibit B-2
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Respondents to be Dismissed

BOOK 576 PAGE 0155

BOOK 562 PAGE 724

	Acres in Unit	Interest in Unit	Reason for Addition	Reason for Dismissal
(w) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.00696 acres 0.002000 of 3.48 acres	0.0136%		Leased
(ah) Kimberly Lynn Street Box 999 Honaker, VA 24260	0.00309 acres 0.000889 of 3.48 acres	0.0060%		Not an owner
(ag) Dexter Perkins Heirs, Devisees, Successors or Assigns				Deceased
(a.g.1) Lennie E. Perkins, widow 3814 Ludgate Drive Chesapeake, VA 23321	0.00078 acres 0.000223 of 3.48 acres	0.0015%		Leased

Exhibit B-3
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Unleased Owners/Claimants

BOOK 576 PAGE 0156
BOOK 562 PAGE 725

	Acres in Unit	Interest in Unit	Election
II. OIL & GAS FEE OWNERSHIP			
<u>Tract #3, 3.48 acres</u>			
Jacob Fuller Heirs, Devisees, Successors or Assigns (25 Acre Tract)	3.48 acres	6.8035%	
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns			
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.06445 acres 0.018519 of 3.48 acres	0.1260%	Deemed Leased
(c) Brady Massie Heirs, Devisees, Successors or Assigns			
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.01289 acres 0.003704 of 3.48 acres	0.0252%	Deemed Leased
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns			
(f.7) Linda Cook 111 Monterey Drive Mooresville, NC 28115	0.00806 acres 0.002315 of 3.48 acres	0.0158%	Deemed Leased
(2) Alta Cordell Heirs, Devisees, Successors or Assigns			
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns			
(a.1) Virgie Correll Address Unknown	0.38667 acres 0.111111 of 3.48 acres	0.7559%	Deemed Leased
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns			
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns			
(b.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.03222 acres 0.009259 of 3.48 acres	0.0630%	Deemed Leased
(c) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	0.37056 acres 0.106483 of 3.48 acres	0.7245%	Deemed Leased
(f) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.37056 acres 0.106483 of 3.48 acres	0.7245%	Carried Operator
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns			

Exhibit B-3
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Unleased Owners/Claimants

BOOK 576 PAGE 0157
BOOK 562 PAGE 726

	Acres in Unit	Interest in Unit	Election
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns			
(a.2) Carolyn Carty 1614 River Creek Drive Suffork, VA 23434	0.03867 acres 0.011111 of 3.48 acres	0.0756%	Deemed Leased
(a.3) Beverly Nuckles 106 Little Pond Court Suffork, VA 23434	0.03867 acres 0.011111 of 3.48 acres	0.0756%	Deemed Leased
(b) Hestor Arwood & Marie Blankenship Heirs, Devisees, Successors or Assigns			
(b.1) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.15467 acres 0.044444 of 3.48 acres	0.3024%	Deemed Leased
(c) Ruth Coleman Heirs, Devisees, Successors or Assigns			
(c.1) Mellie Coleman Address Unknown	0.03867 acres 0.011112 of 3.48 acres	0.0756%	Deemed Leased
(c.2) Michael Coleman Address Unknown	0.03867 acres 0.011112 of 3.48 acres	0.0756%	Deemed Leased
(d) Irene Minnix Heirs, Devisees, Successors or Assigns			
(d.1) Debbie Penaly Address Unknown	0.07733 acres 0.022222 of 3.48 acres	0.1512%	Deemed Leased
(7) Emily Keen Heirs, Devisees, Successors or Assigns			
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.04833 acres 0.013889 of 3.48 acres	0.0945%	Deemed Leased
(f) Eugene Whited 25429 Briarwood Drive Columbia Station, OH 44028	0.04833 acres 0.013889 of 3.48 acres	0.0945%	Deemed Leased
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns			
(a) Arnold Fuller Address Unknown	0.09667 acres 0.027778 of 3.48 acres	0.1890%	Deemed Leased
(b) Ollie Wilson Address Unknown	0.09667 acres 0.027778 of 3.48 acres	0.1890%	Deemed Leased
(c) Dora Webb Address Unknown	0.09667 acres 0.027778 of 3.48 acres	0.1890%	Deemed Leased

**Exhibit B-3
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Unleased Owners/Claimants**

	Acres in Unit	Interest in Unit	Election
(d) Leona Beavers Address Unknown	0.09667 acres 0.027778 of 3.48 acres	0.1890%	Deemed Leased
(9) Ellen Brown Heirs, Devisees, Successors or Assigns			
(d) Luther Abshire, Jr. Heirs, Devisees, Successors or Assigns			
(d.1) Cathy Tisdale 54 Jennie Lynn Crimora, VA 24431	0.00116 acres 0.000333 of 3.48 acres	0.0023%	Deemed Leased
(d.2) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.00116 acres 0.000333 of 3.48 acres	0.0023%	Deemed Leased
(f) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.00232 acres 0.000667 of 3.48 acres	0.0045%	Deemed Leased
(h) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.00232 acres 0.000667 of 3.48 acres	0.0045%	Deemed Leased
(k) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.01856 acres 0.005334 of 3.48 acres	0.0363%	Deemed Leased
(l) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns			
(l.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.01373 acres 0.003944 of 3.48 acres	0.0268%	Deemed Leased
(l.2) Michael Whitt Address Unknown	0.01373 acres 0.003944 of 3.48 acres	0.0268%	Deemed Leased
(m) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.02745 acres 0.007889 of 3.48 acres	0.0537%	Deemed Leased
(n) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.02745 acres 0.007889 of 3.48 acres	0.0537%	Deemed Leased
(o) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.02745 acres 0.007889 of 3.48 acres	0.0537%	Deemed Leased
(p) Judy Farmer P.O. Box 146 Vasant, VA 24656	0.00696 acres 0.002000 of 3.48 acres	0.0136%	Deemed Leased

Exhibit B-3
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Unleased Owners/Claimants

BOOK 576 PAGE 0159
 BOOK 562 PAGE 728

	Acres in Unit	Interest in Unit	Election
(q) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.00696 acres 0.002000 of 3.48 acres	0.0136%	Deemed Leased
(r) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.00696 acres 0.002000 of 3.48 acres	0.0136%	Deemed Leased
(s) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.00696 acres 0.002000 of 3.48 acres	0.0136%	Deemed Leased
(t) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.00696 acres 0.002000 of 3.48 acres	0.0136%	Deemed Leased
(u) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.00806 acres 0.002315 of 3.48 acres	0.0158%	Deemed Leased
(v) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.00696 acres 0.002000 of 3.48 acres	0.0136%	Deemed Leased
(w) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.00619 acres 0.001778 of 3.48 acres	0.0121%	Deemed Leased
(y) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.00619 acres 0.001778 of 3.48 acres	0.0121%	Deemed Leased
(z) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.00619 acres 0.001778 of 3.48 acres	0.0121%	Deemed Leased
(aa) Pauline Brown Rt.2 Box 45 Oakwood, VA 24631	0.00619 acres 0.001778 of 3.48 acres	0.0121%	Deemed Leased
(ab) Carl Brown 12077 Salem Church Road King George, VA 22485	0.00619 acres 0.001778 of 3.48 acres	0.0121%	Deemed Leased
(ac) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.00619 acres 0.001778 of 3.48 acres	0.0121%	Deemed Leased
(ad) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.00619 acres 0.001778 of 3.48 acres	0.0121%	Deemed Leased
(ae) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.00619 acres 0.001778 of 3.48 acres	0.0121%	Deemed Leased

Exhibit B-3
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Unleased Owners/Claimants

BOOK 576 PAGE 0160
 BOOK 562 PAGE 729

	Acres in Unit	Interest in Unit	Election
(af) Virgil K. Street Box 999 Honaker, VA 24260	0.00619 acres 0.001778 of 3.48 acres	0.0121%	Deemed Leased
(ah) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.00078 acres 0.000223 of 3.48 acres	0.0015%	Deemed Leased
(ai) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.00078 acres 0.000223 of 3.48 acres	0.0015%	Deemed Leased
(aj) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.00078 acres 0.000223 of 3.48 acres	0.0015%	Deemed Leased
(ak) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.00078 acres 0.000223 of 3.48 acres	0.0015%	Deemed Leased
(al) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.00078 acres 0.000223 of 3.48 acres	0.0015%	Deemed Leased
(am) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.00078 acres 0.000223 of 3.48 acres	0.0015%	Deemed Leased
(an) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.00078 acres 0.000223 of 3.48 acres	0.0015%	Deemed Leased
(ao) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.04833 acres 0.013889 of 3.48 acres	0.0945%	Deemed Leased

Exhibit E
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Conflicting Owners/Claimants that require escrow

BOOK 576 PAGE 0101
BOOK 562 PAGE 730

	Acres in Unit	Interest in Unit
<u>Tract #3, 3.48 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	3.48 acres	6.804%
<u>OIL & GAS FEE OWNERSHIP</u>		
Jacob Fuller Heirs, Devisees, Successors or Assigns (25 Acre Tract)	3.48 acres	6.8035%
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns		
(a) Claude and Lauran Compton Heirs		
(a.1) Alta Geneva Cotsmire 215 Kanawha Avenue Dunbar, WV 25064	0.01611 acres 0.004630 of 3.48 acres	0.0315%
(a.2) Della Meadows P.O. Box 823 Honaker, VA 24260	0.01611 acres 0.004630 of 3.48 acres	0.0315%
(a.3) Margaret Kleffman 5112 Kingsport Highway Gray, TN 37615	0.01611 acres 0.004630 of 3.48 acres	0.0315%
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.01611 acres 0.004630 of 3.48 acres	0.0315%
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.06445 acres 0.018519 of 3.48 acres	0.1260%
(c) Brady Massie Heirs, Devisees, Successors or Assigns		
(c.1) James Massie P.O. Box 682 Honaker, VA 24260	0.01289 acres 0.003704 of 3.48 acres	0.0252%
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.01289 acres 0.003704 of 3.48 acres	0.0252%
(c.3) Ruby & Leroy Lester 627 Twin Oak Circle Lebanon, VA 24266	0.01289 acres 0.003704 of 3.48 acres	0.0252%
(c.4) Gladys Puckett P.O. Box 153 Easley, SC 29641	0.01289 acres 0.003704 of 3.48 acres	0.0252%

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List of Conflicting Owners/Claimants that require escrow

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	Acres in Unit	Interest in Unit
(c.5) David & Debra Taylor 1580 Kenmore Drive Kingsport, TN 37664	0.01289 acres 0.003704 of 3.48 acres	0.0252%
(d) Nelson Compton Rt.2 Box 190 Honaker, VA 24260	0.06445 acres 0.018519 of 3.48 acres	0.1260%
(e) Mary Keen 703 Baker Street Mt. Gilead, OH 43335	0.06445 acres 0.018519 of 3.48 acres	0.1260%
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns		
(f.1) William Earl Richardson 1140 Texarkana Drive Indianapolis, IN 46231	0.00806 acres 0.002315 of 3.48 acres	0.0158%
(f.2) Nelson Richardson 1124 Texarkana Drive Indianapolis, IN 46231	0.00806 acres 0.002315 of 3.48 acres	0.0158%
(f.3) Fred Richardson 9019 Broken Arrow Road Indianapolis, IN 46234	0.00806 acres 0.002315 of 3.48 acres	0.0158%
(f.4) Roger Richardson 4313 E. 46th Street Indianapolis, IN 46231	0.00806 acres 0.002315 of 3.48 acres	0.0158%
(f.5) Alice Marie Musick 7981 N. 875 W Indianapolis, IN 46259	0.00806 acres 0.002315 of 3.48 acres	0.0158%
(f.6) Betty Doty 875 W. 6779 Lambert Street Indianapolis, IN 46241	0.00806 acres 0.002315 of 3.48 acres	0.0158%
(f.7) Linda Cook 111 Monterey Drive Mooresville, NC 28115	0.00806 acres 0.002315 of 3.48 acres	0.0158%
(f.8) Violet Dunn 8607 Mosey Manor Indianapolis, IN 46231	0.00806 acres 0.002315 of 3.48 acres	0.0158%
(2) Alta Cordell Heirs, Devisees, Successors or Assigns		
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns		
(a.1) Virgie Correll Address Unknown	0.38667 acres 0.111111 of 3.48 acres	0.7559%

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CBM-PGP-AV109
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List of Conflicting Owners/Claimants that require escrow

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	Acres in Unit	Interest in Unit
(3) Myrtle Rowe Heirs, Devisees Successors or Assigns		
(a) Ellen Fletcher HC65 Box 27A Rowe, VA 24649	0.38667 acres 0.111111 of 3.48 acres	0.7559%
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns		
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(b.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.03222 acres 0.009259 of 3.48 acres	0.0630%
(f) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.37056 acres 0.106483 of 3.48 acres	0.7245%
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns		
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns		
(a.1) Betty Nuckles, Widow 275 Beverly Drive Abingdon, VA 24210	<i>Life Estate</i>	
(a.2) Carolyn Carty 1614 River Creek Drive Suffolk, VA 23434	0.03867 acres 0.011111 of 3.48 acres	0.0756%
(a.3) Beverly Nuckles 106 Little Pond Court Suffolk, VA 23434	0.03867 acres 0.011111 of 3.48 acres	0.0756%
(b) Hestor Arwood & Marie Blankenship Heirs, Devisees, Successors or Assigns		
(b.1) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.15467 acres 0.044444 of 3.48 acres	0.3024%
(c) Ruth Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Mellie Coleman Address Unknown	0.03867 acres 0.011112 of 3.48 acres	0.0756%
(c.2) Michael Coleman Address Unknown	0.03867 acres 0.011112 of 3.48 acres	0.0756%
(d) Irene Minnix Heirs, Devisees, Successors or Assigns		

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	Acres in Unit	Interest in Unit
(d.1) Debbie Penaly Address Unknown	0.07733 acres 0.022222 of 3.48 acres	0.1512%
(7) Emily Keen Heirs, Devisees, Successors or Assigns		
(a) Earl Whited Rt.1 Box 150 Swords Creek, VA 24649	0.04833 acres 0.013889 of 3.48 acres	0.0945%
(b) Lydia Hess P.O. Box 43 Rosedale, VA 24280	0.04833 acres 0.013889 of 3.48 acres	0.0945%
(c) Goldie Hess Star Route Box 118 Rowe, VA 24646	0.04833 acres 0.013889 of 3.48 acres	0.0945%
(d) Corine Perkins P.O. Box 315 Rosedale, VA 24280	0.04833 acres 0.013889 of 3.48 acres	0.0945%
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.04833 acres 0.013889 of 3.48 acres	0.0945%
(f) Eugene Whited 25429 Briarwood Drive Columbia Station, OH 44028	0.04833 acres 0.013889 of 3.48 acres	0.0945%
(g) Arlene Compton Rt.2 Box 190 Honaker, VA 24260	0.04833 acres 0.013889 of 3.48 acres	0.0945%
(h) Leona Shope P.O. Box 272 Rosedale, VA 24280	0.04833 acres 0.013889 of 3.48 acres	0.0945%
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns		
(a) Arnold Fuller Address Unknown	0.09667 acres 0.027778 of 3.48 acres	0.1890%
(b) Ollie Wilson Address Unknown	0.09667 acres 0.027778 of 3.48 acres	0.1890%
(c) Dora Webb Address Unknown	0.09667 acres 0.027778 of 3.48 acres	0.1890%
(d) Leona Beavers Address Unknown	0.09667 acres 0.027778 of 3.48 acres	0.1890%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		

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List of Conflicting Owners/Claimants that require escrow

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	Acres in Unit	Interest in Unit
(a) Goldine Lilly 303 Wolfe Creek Road Spanishburg, WV 25922	0.01392 acres 0.004000 of 3.48 acres	0.0272%
(b) Richard E. Rose 1406 South Avenue Princeton, WV 24740	0.01392 acres 0.004000 of 3.48 acres	0.0272%
(c) Arcel Rose P.O. Box 1705 Beaver, WV 25813	0.01392 acres 0.004000 of 3.48 acres	0.0272%
(d) Luther Abshire, Jr. Heirs, Devisees, Successors or Assigns		
(d.1) Cathy Tisdale 54 Jennie Lynn Crimora, VA 24431	0.00116 acres 0.000333 of 3.48 acres	0.0023%
(d.2) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.00116 acres 0.000333 of 3.48 acres	0.0023%
(e) Hassel Raymond Abshire 10743 Beckley Road Camp Creek, WV 25820	0.00232 acres 0.000667 of 3.48 acres	0.0045%
(f) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.00232 acres 0.000667 of 3.48 acres	0.0045%
(g) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.00232 acres 0.000667 of 3.48 acres	0.0045%
(h) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.00232 acres 0.000667 of 3.48 acres	0.0045%
(j) Tolv "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.01856 acres 0.005334 of 3.48 acres	0.0363%
(k) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.01856 acres 0.005334 of 3.48 acres	0.0363%
(l) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns		
(l.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.01373 acres 0.003944 of 3.48 acres	0.0268%
(l.2) Michael Whitt Address Unknown	0.01373 acres 0.003944 of 3.48 acres	0.0268%

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Docket No. VGOB-01-0821-0907
List of Conflicting Owners/Claimants that require escrow

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	Acres in Unit	Interest in Unit
(m) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.02745 acres 0.007889 of 3.48 acres	0.0537%
(n) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.02745 acres 0.007889 of 3.48 acres	0.0537%
(o) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.02745 acres 0.007889 of 3.48 acres	0.0537%
(p) Judy Farmer P.O. Box 146 Vansant, VA 24656	0.00696 acres 0.002000 of 3.48 acres	0.0136%
(q) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.00696 acres 0.002000 of 3.48 acres	0.0136%
(r) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.00696 acres 0.002000 of 3.48 acres	0.0136%
(s) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.00696 acres 0.002000 of 3.48 acres	0.0136%
(t) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.00696 acres 0.002000 of 3.48 acres	0.0136%
(u) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.00806 acres 0.002315 of 3.48 acres	0.0158%
(v) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.00696 acres 0.002000 of 3.48 acres	0.0136%
(w) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.00696 acres 0.002000 of 3.48 acres	0.0136%
(x) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.00619 acres 0.001778 of 3.48 acres	0.0121%
(y) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.00619 acres 0.001778 of 3.48 acres	0.0121%
(z) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.00619 acres 0.001778 of 3.48 acres	0.0121%

Exhibit E
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Conflicting Owners/Claimants that require escrow

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	Acres in Unit	Interest in Unit
(aa) Pauline Brown Rt.2 Box 45 Oakwood, VA 24631	0.00619 acres 0.001778 of 3.48 acres	0.0121%
(ab) Carl Brown 12077 Salem Church Road King George, VA 22485	0.00619 acres 0.001778 of 3.48 acres	0.0121%
(ac) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.00619 acres 0.001778 of 3.48 acres	0.0121%
(ad) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.00619 acres 0.001778 of 3.48 acres	0.0121%
(ae) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.00619 acres 0.001778 of 3.48 acres	0.0121%
(af) Virgil K. Street Box 999 Honaker, VA 24260	0.00619 acres 0.001778 of 3.48 acres	0.0121%
(ag) Dexter Perkins Heirs, Devisees, Successors or Assigns		
(a.g.1) Lennie E. Perkins, widow 3814 Ludgate Drive Chesapeake, VA 23321	0.00078 acres 0.000223 of 3.48 acres	0.0015%
(ah) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.00078 acres 0.000223 of 3.48 acres	0.0015%
(ai) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.00078 acres 0.000223 of 3.48 acres	0.0015%
(aj) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.00078 acres 0.000223 of 3.48 acres	0.0015%
(ak) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.00078 acres 0.000223 of 3.48 acres	0.0015%
(al) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.00078 acres 0.000223 of 3.48 acres	0.0015%
(am) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.00078 acres 0.000223 of 3.48 acres	0.0015%

Exhibit E

CBM-PGP-AV109

Docket No. VGOB-01-0821-0907

List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(an) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.00078 acres 0.000223 of 3.48 acres	0.0015%
(ao) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.04833 acres 0.013889 of 3.48 acres	0.0945%

Exhibit EE
CBM-PGP-AV109
Docket No. VGOB-01-0821-0907
List of Conflicting Owners/Claimants with Royalty Split Agreements

BOOK 576 PAGE 0169

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	Acres in Unit	Interest in Unit
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Tract #3, 3.48 acres

COAL FEE OWNERSHIP

(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	3.48 acres	6.804%
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OIL & GAS FEE OWNERSHIP

Jacob Fuller Heirs, Devisees, Successors or Assigns (25 Acre Tract)	3.48 acres	6.8035%
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns		
(c) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	0.37056 acres 0.106483 of 3.48 acres	0.7245%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(i) Anna Nuckles Rt.1 Box 156 Vansant, VA 24565	0.01856 acres 0.005334 of 3.48 acres	0.0363%

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 21st day of February, 20 03 12:42P. M.
Deed Book No. 562 and Page No. 715.
Returned to: ATME TESTE: James M. Bevins, Jr., Clerk
TESTE: Gladys S. Allen Deputy Clerk

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 2-25, 2003. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:31 o'clock P M, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to:

Diane Davis

TESTE: DOLLIE M. COMPTON, CLERK
BY: Dollie M. Compton CLERK

0000819

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT
RUSSELL CIRCUIT COURT
DEED RECEIPT

DATE: 02/25/03 TIME: 13:32:26 ACCOUNT: 167CLR0300819 RECEIPT: 030000001519
CASHIER: DMC REG: 6006 TYPE: ODU PAYMENT: FULL PAYMENT
INSTRUMENT : 0200819 BOOK: 576 PAGE: 0146 RECORDED: 02/25/03 AT 13:31
GRANTOR NAME : VIRGINIA OIL & GAS BOARD EX: N LOCALITY: CO
GRANTEE NAME : POCAHONTAS GAS PARTNERSHIP EX: N PERCENT: 100%
AND ADDRESS :
RECEIVED OF : DMME
CHECK : \$34.00
DESCRIPTION 1:
2:
CONSIDERATION: .00 ASSUME/VAL: .00
CODE DESCRIPTION PAID CODE DESCRIPTION PAID
301 DEEDS 34.00
TENDERED : 34.00
AMOUNT PAID: 34.00
CHANGE AMT : .00

CLERK OF COURT: DOLLIE M. COMPTON